

**FILED - GR**November 18, 2021 9:28 AM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY:JMW SCANNED BY: JW 11-18Judicial Council of the Gerald R Ford Federal Circuit**COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY 1:21-cv-976****Janet T. Neff**  
**U.S. District Judge**

To begin the complaint process, complete this form and prepare the brief statement described in item 5 (below). The RULES FOR JUDICIAL CONDUCT AND JUDICIAL PROCEEDINGS, adopted by the Judicial Conference of the United States, contain what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The rules are available in federal court clerks' offices, on individual federal courts' Web sites, and on [www.uscourts.gov](http://www.uscourts.gov).

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: Kenneth Robert Burgett  
 Contact Address: 3307 Partridge Ave  
Zeeland, Mi 49464  
 Daytime telephone: ( 616 ) 594-6361
  
2. Name(s) of Judge(s): Ray Kent  
 Court: Gerald R Ford Federal Building Court
  
3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?  
☐ Yes ☒ No  
 If "yes," give the following information about each lawsuit:  
 Court: \_\_\_\_\_  
 Case Number: \_\_\_\_\_  
 Docket number of any appeal to the \_\_\_\_\_ Circuit: \_\_\_\_\_  
 Are (were) you a party or lawyer in the lawsuit?  
☐ Party ☐ Lawyer ☐ Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

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4. Have you filed any lawsuits against the judge?

☐ Yes

☒ No

If "yes," give the following information about each such lawsuit:

Court: \_\_\_\_\_

Case Number: \_\_\_\_\_

Present status of lawsuit: \_\_\_\_\_

Name, address, and telephone number of your lawyer for the lawsuit against the judge:

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Court to which any appeal has been taken in the lawsuit against the judge:

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Docket number of the appeal: \_\_\_\_\_

Present status of the appeal: \_\_\_\_\_

5. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

6. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

(Signature)



(Date)

11-18-2021

3307 PARTRIDGE  
ZEELAND MT  
49464

Gerald R Ford Federal Building Court  
110 Michigan St NW  
Grand Rapids, Mi 49464

Kenneth Robert Burgett  
3307 Partridge Ave  
Zeeland, Mi 49464

My name is, Kenneth Robert Burgett, I what to fils a complaint of discrimination against me and my Medical service dog was denied access to Federal Judge Ray Kent, courtroom.  
Federal Judge Ray Kent, denied me and my medical service dog into his courtroom.

The judge used this information to deny my access to his courtroom:  
**Dog and other animals (CFR 102-74-74.425) No person my bring dogs or other animals on \*Federal property for other than official purposes However, a disabled person may bring a seeing eye dog, a guide dog OR OTHER ANIMALS ASSISTING OR BEING TRAINED TO ASSIST THAT INDIVIDUAL!**

I believe that the above statement: However, a disabled person may bring a seeing eye dog, a guide dog OR OTHER ANIMALS ASSISTING OR TO ASSIST THAT INDIVIDUAL!

My Medical Service Dog definitely qualifies as other animals assisting that individual who is disabled!

I believe that Magistrate Ray Kent, totally discriminated against me. I served my country for 13 years and I get denied access to a courtroom because I have a medical service dog because what the service did to me while in to give me a reason to have such a gift Services dog, just so that I can have a somewhat normal life.

How dare a judge deny me access to the courtroom because I have a medical service dog. That to me was a huge slap in my face once again!

One would think being a federal judge He or She would do everything that they could possibly do for anyone who served our country! To be able to be in a courtroom to give support to someone that meant everything . Magistrate Ray Kent, took that away from me.

I believe that if you read everything that I'm posting that you will realize just how wrong you was to do such a Hyenas action any could do to a disabled person!

My hope and prayer is that this will help you see your wrong for the next time and make it right!

Kenneth Burgett.

Federal Law regarding Medical Service Dogs: § 35.136 Service animals.

**(a) General.** Generally, a public entity shall modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability.

**(b) Exceptions.** A public entity may ask an individual with a disability to remove a service animal from the premises if -

**(1)** The animal is out of control and the animal's handler does not take effective action to control it; or

**(2)** The animal is not housebroken.

**(g) Access to areas of a public entity.** Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity 's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.



## **Service dog teams are granted public access**

Commonly referred to as “public access,” qualified disabled Americans, including those using a prescribed service dog to mitigate a disability, have civil rights protections against discrimination in the activities of public accommodations on the basis of their disability under Title III of the Americans with Disabilities Act (ADA). Many states have enacted similar legal protections at their local level.

For ADA protections, the Department of Justice has defined Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Civil monetary penalties

### 28 C.F.R. Parts 36 and 85

On March 28, 2014, the Department of Justice issued a Final Rule that adjusts for inflation the civil monetary penalties assessed or enforced by the Civil Rights Division, including civil penalties available under title III of the Americans with Disabilities Act of 1990 (ADA). For the ADA, this adjustment increases the maximum civil penalty for a first violation under title III from \$55,000 to \$75,000; for a subsequent violation the new maximum is \$150,000. The new maximums apply only to violations occurring on or after April 28, 2014.

## **II-2.0000 QUALIFIED INDIVIDUALS WITH DISABILITIES**

Regulatory references: 28 CFR 35.104.

**II-2.1000 General.** Title II of the ADA prohibits discrimination against any “qualified individual with a disability.” Whether a particular individual is protected by title II requires a careful analysis first, of whether an individual is an “individual with a disability,” and then whether that individual is “qualified.” People commonly refer to disabilities or disabling conditions in a broad sense. ADA’s legal definition -- those that place substantial limitations on an individual’s major life activities.

Title II protects three categories of individuals with disabilities:

- 1) Individuals who have a physical or mental
- 2) Individuals who have a record of a physical or mental impairment that substantially limited one or more of the individual’s major life activities; and
- 3) Individuals who are regarded as having such an impairment, whether they have the impairment or not.